

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty.'s Docket: ENDO 12

In re Application of:

Koichi ENDO, et al.

Serial No.: 09/485,583

Filed: February 14, 2000

For: REMEDIES FOR DISEASES...

Box AF

Art Unit: 1617

Examiner: A. BERMAN

Washington, D.C.

November 14, 2002

TECH CENTER 1600/2900

NOV 18 2002

RECEIVED

1617

#17

AKD
12/18/02

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Hon. Commissioner for Patents
Washington, D. C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated November 5, 2002 of the Primary Examiner. The claims appealed are 8-11 and 15-18.

The item(s) checked below are appropriate:

☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

☒ The fee has been calculated as shown below:
☒ \$320.00 ☐ \$160.00 (small entity)
☐ Not required (fee paid in prior appeal)

☒ Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

12/19/2002 HDENDY 00000005 024035 09485583

Response filed within:

01 FC:1401
☐ first - \$ 55.00
☐ second - \$200.00
☐ third - \$460.00
☐ fourth - \$720.00

Response filed within:

☐ first - \$ 110.00
☐ second - \$ 400.00
☒ third - \$ 920.00
☐ fourth - \$1,440.00

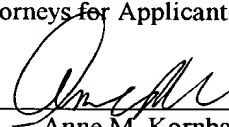
month after time period set.

month after time period set.

☒ Less fees (\$ 400) already paid for two-month(s) extension of time on October 15, 2002.
☒ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$ 520.00 is attached.
☒ Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By 
Anne M. Kornbau
Reg. No. 25,884

Telephone: (202) 628-5197
Facsimile: (202) 737-3528
AMK:nmp

G:\BNY\YUAS\ENDO12\PTO\nov 2002 notice of appeal.doc

11/15/2002 SLUANG1 00000014 09485583

01 FC:1253

520.00 DP